



Ceylon Government Gazette

Published by Authority.

No. 6,932 — THURSDAY, MARCH 28, 1918.

Part II.—Legal.

Separate paging is given to each Part in order that it may be filed separately.

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DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information :—

An Ordinance to declare the Rights of Mortgagees in certain Cases.

Preamble.

WHEREAS it is expedient to declare the rights of mortgagees under mortgages to secure future, contingent, or floating liabilities : Be it therefore declared and enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

1 This Ordinance may be cited as "The Mortgage Ordinance, No. of 1918."

Effect of mortgages to secure future, &c., liability as against subsequent registered mortgages, &c.

2 (1) In the following cases, that is to say :

- (a) Where a mortgage of immovable property is given to secure future advances (whether with or without any previous advances or other liability) ;
- (b) Where such a mortgage is given to secure the floating balance from time to time due upon any account ;
- (c) Where such a mortgage is given to secure a contingent liability arising out of a particular relationship (not being a liability of the nature of those referred to in either of the last two preceding paragraphs) ;

such mortgage shall be effective to the full extent of the charge intended to be created thereby as against any person claiming under any subsequent mortgage or transfer, notwithstanding that no money may have been actually due at the date of such subsequent mortgage or transfer in respect of the liability intended to be secured, and irrespective of the actual amount so due on such date.

(2) Provided that in any case in which, after the commencement of this Ordinance, any mortgage is executed of the character in paragraph (a) or paragraph (b) of the last preceding sub-section mentioned, and notice in writing is served

upon the mortgagee of any advance made or of any sum due under any subsequently executed mortgage or of any subsequent transfer, such first-mentioned mortgage shall only be effective as against any person claiming under such subsequent mortgage or transfer for the purpose of securing any advance made or sum due (together with all interest due or to become due in respect thereof) up to the date of the receipt of such notice.

(3) For the purposes of this section the expression "transfer" includes any instrument creating any interest in immovable property.

(4) Nothing herein contained shall be deemed to affect the mutual rights of the parties in the case of *K. P. S. T. Sithambaram Chetty, of Sea street, Colombo, v. Bentotage David Fernando and Bentotage Bastian Fernando, both of Wellawatta, D. C. Colombo, case No. 46,630*, or in any other case in which the decision of the Supreme Court in the said case shall have been followed prior to the commencement of this Ordinance, but, subject to the provisions of sub-section (2) hereof, this Ordinance shall apply to all mortgages or transfers whether executed before or after the commencement of this Ordinance.

Priorities of
law of
registration
unaffected.

3 Nothing contained in this Ordinance shall be deemed to affect the priorities attaching to instruments as the result of registration under the law for the time being regulating the registration of instruments affecting immovable property.

By His Excellency's command,

Colonial Secretary's Office,
Colombo, March 18, 1918.

R. E. STUBBS,
Colonial Secretary.

Statement of Objects and Reasons.

THE object of this Ordinance is to deal with the situation created by the judgment of the Supreme Court in the case of *K. P. S. T. Sithambaram Chetty, of Sea street, Colombo, v. Bentotage David Fernando and Bentotage Bastian Fernando, both of Wellawatta, D. C. Colombo, case No. 46,630*, decided on March 5, 1918. That case in effect decided that a mortgagor, who has mortgaged his land to secure future advances, is free to mortgage it again, or to sell it altogether, subject only to such amount as may be due on the original mortgage at the date of the second mortgage or sale, and that any further advances made by the original mortgagee are postponed to any advances made by the subsequent mortgagee, and do not affect the subsequent purchaser, even though the original mortgagee at the time when he made the advances had no notice of such subsequent mortgage or sale.

2. While it is recognized that the legal principles of this decision are unimpeachable, there is, nevertheless, a unanimous feeling that the decision is not in accordance with the law as hitherto understood in commercial and legal circles, and, in view of what appears to have been a universal misapprehension of the law, it is thought desirable that immediate steps should be taken to declare the law on this point in the sense in which it has been hitherto understood.

3. The transactions affected by the decision fall under three heads, namely:—

- (a) Mortgages given to secure future advances;
- (b) Mortgages given to secure the floating balance on current accounts;
- (c) Mortgages given to secure contingent liabilities, such as those incurred by shroffs, or such as those which are covered by the ordinary fidelity bond.

4. With regard to future transactions, it is felt that mortgages of class (c) should be effective as against any subsequent mortgage or transfer to the full extent of the charge intended to be created thereby. A difficulty arises, however, with regard to mortgages of classes (a) and (b). It appears that both under the Roman-Dutch law and under the English law a mortgagor, who has already mortgaged his property to

secure future advances or future debts, is free to deal with his property by making a further mortgage of it or transferring it altogether, subject to any advances that may have been actually made, or to any sum that may be actually due under the prior mortgage. In English law equity has required that this right shall be subject to notice having been duly given to the first mortgagee. The policy of the English law has been to insist that the mortgagor shall not be bound to the mortgagee to any extent beyond what is necessary to secure the mortgagee in respect of any money which he has actually advanced, or which may be actually due to him. It is felt that in any legislation on the subject with regard to future transactions this equitable principle should be observed. The effect of the Ordinance, therefore, so far as it relates to such transactions, is to put the law of the Colony on the same footing as the law of England.

5. In view of the considerations explained in paragraph 2, the Ordinance is retrospective. Its effect may be summed up as follows. With regard to mortgages to secure future advances or liabilities, the law *as to future transactions* is put upon the same footing as the law of England, and *as to past transactions* on the same footing as that previously understood; with regard to mortgages to secure contingent liabilities, *both as to past and as to future transactions*, the law is put upon the same footing as that previously understood.

Attorney-General's Chambers,
Colombo, March 16, 1918.

ANTON BERTRAM,
Attorney-General.

DISTRICT AND MINOR COURTS NOTICES.

NOTICE is hereby given that the Matugama Police Court Weekly Sessions for April, 1918, will commence on the 22nd proximo.

Police Court,
Matugama, March 21, 1918.

C. L. WICKREMESINGHE,
Police Magistrate.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,716. In the matter of the insolvency of Isubu Canno Wappa of No. 133, Layard's broadway, Colombo.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on April 23, 1918, to declare a dividend.

By order of court, V. R. MOLDRICH,
Colombo, March 20, 1918. Secretary.

In the District Court of Colombo.

No. 2,893. In the matter of the insolvency of Stephen Oswald Perera of Nugegoda.

WHEREAS the above-named Stephen Oswald Perera has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by Johannis Appuhamy under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Stephen Oswald Perera insolvent accordingly, and that two public sittings of the court, to wit, on May 7, 1918, and on May 21, 1918, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of

the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, V. R. MOLDRICH,
Colombo, March 23, 1918. Secretary.

In the District Court of Colombo.

No. 2,894. In the matter of the insolvency of Richard Cruz of Wellawatta, Colombo.

WHEREAS the above-named Richard Cruz has filed a declaration of insolvency, and a petition for the sequestration of his estate has also been filed by E. LaFaber under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Richard Cruz insolvent accordingly, and that two public sittings of the court, to wit, on May 7, 1918, and on May 21, 1918, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, V. R. MOLDRICH,
Colombo, March 23, 1918. Secretary.

In the District Court of Badulla.

No. 104. In the matter of the insolvency of Dominguwawaduge John de Silva of Bandarawela.

NOTICE is hereby given that the meeting of the creditors of the above-named insolvent for the allowance to him of a certificate of conformity has been postponed to April 24, 1918.

By order of court, E. W. SIRIMANE,
Badulla, March 20, 1918. Secretary.

In the District Court of Chilaw.

No. 22. In the matter of the insolvency of Navanna Chena Chetty Appa Chetty of Chilaw.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 1, 1918, to consider the return made by the Fiscal to the order for attachment issued in this case. The first sitting is also adjourned for the same date.

By order of court, C. B. PAULICKPULLE,
March 22, 1918. Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

J. G. de Z. Siriwardana of Kotahena Plaintiff.
No. 44,166. Vs.

(1) D. R. Amarasekara and (2) Percy J. Perera, both of Sedawatta, in Colombo Defendants.

NOTICE is hereby given that on April 30, 1918, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 1,817.75 and less a sum of Rs. 750, with interest thereon at the rate of 9 per cent. per annum from January 27, 1916, till payment in full, and costs of the action Rs. 194.50, viz. :—

At 10 A.M.

All that house and premises bearing assessment No. 2, situated at Avondale road, 2nd Division, Maradana, within the Municipality of Colombo, Western Province; and bounded on the north by the property of Abraham, now of Miskin Japar bearing assessment No. 33, on the east by the property of Tamby Marikar Amala Marikar, formerly of Thelenis Fernando Vedarala, bearing assessment No. 11 now of Asserappulige Levir Fernando, on the south by a road called Arab lane now called Avondale road, and on the west by the property of Muttu Natchia, wife of Mohammad Bakoor, formerly of Packir Tamby Miskin, bearing assessment No. 9, now of G. de Silva; containing in extent 9 59/100 square perches.

At 11 A.M.

(2) All that allotment of land called Nugagahatuduwewatta, with the building standing thereon, bearing assessment No. 903/210 12, situated at Ketawalamulla, within the Municipality of Colombo; and bounded on the north by the land belonging to Ceylon Government Railway, east by property bearing No. 206 c belonging to Abdul Careem, south by Floor's lane, and west by Kalusayakkarage Thinnu Fernando's property and properties bearing Nos. 203 to 207; containing in extent 3 roods and 24 square perches more or less.

Fiscal's Office,
Colombo, March 25, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

(1) Esufuli Mohamedbhoy, (2) Goolam Hussien Mohamedbhoy, (3) Adamaly Mohamedbhoy, carrying on business under the name, firm, and style of E. G. Adamalay & Co., Pettah, Colombo Plaintiffs.
No. 45,416. Vs.

(1) Sena Lebbe Hadjiar Zuleha Umma and her husband (2) Neina Marikar Abdul Carim, both of Old Moor street, in Colombo Defendants.

NOTICE is hereby given that on May 3, 1918, at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property declared bound and

executable under the decree entered in the above action and ordered to be sold by the order of court dated January 31, 1917, for the recovery of the sum of Rs. 3,002.75, with interest on Rs. 2,500 at the rate of 8 per cent. per annum from June 16, 1916, to September 15, 1916, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs of suit, viz. :—

All those two portions of garden and buildings called Ambagahawatta and Ambagahakanatta, now forming one property, and described in the survey plan thereof dated July 11, 1898, and made by Frederick Bartholomeusz, Surveyor, as follows :—

Two contiguous allotments of lands now forming one property, with buildings standing thereon, bearing assessment No. 196, situated at Dematagoda, in the Maradana Ward, within the Municipal limits and District of Colombo, Western Province; bounded on the north-east by the other part of this land now belonging to Tamby Mohamed Abubukker, on the south-east by Dematagoda road, on the south-west by the garden of Icy Lebbe Oduma Lebbe, now the property of Manchia Rahaman, wife of Icy Marikkar, and on the north-west by the garden of Sekana Lebbe Cappu Udunar Lebbe, now by a road; containing in extent 11 35/100 perches.

Fiscal's Office,
Colombo, March 25, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

Weerahennedige Peter Fernando of Rawatawatta in Moratuwa Plaintiff.

No. 48,050. Vs.

Telge Hendrick Pieris of Rawatawatta in Moratuwa Defendant.

NOTICE is hereby given that on April 29, 1918, at 9 o'clock in the forenoon, will be sold by public auction at the premises the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated November 13/14, 1917, for the recovery of the sum of Rs. 658, with interest on Rs. 400 at the rate of 18 per cent. per annum from June 27, 1917, to July 27, 1917, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs of suit, viz. :—

All that defined southern 2/7 parts of a portion of the land called Bulugahawatta, situated at Rawatawatta in Moratuwa, under the Palle pattu of Salpiti korale, in the District of Colombo, Western Province, with the plantations and the new house built by the defendant thereon; and bounded on the north by another defined 2/7 parts of the same Bulugahawatta belonging to Balapuwaduge Pedro Mendis, Salman Mendis, and Jacob Koraden, on the east by the land formerly owned by Mahamarakkala Kurukulasuriya Patabandige Johanis Perera, presently belonging to

Telge Jusey Pieris, on the south by another portion of the same land formerly owned by Telge Siman Pieris and presently belonging to Hanwedige Siman Joseph Pieris, and on the west by another portion of the same land formerly owned by Ungamandadige Juanis Fernando, but presently belonging to the estate of the late Lindamullage Daniel Silva; containing 121½ feet in length extending from the eastern to the western boundary and 44½ feet in breadth from the northern to the southern boundary.

Fiscal's Office,
Colombo, March 25, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

M. R. P. L. Kaliappa Chetty of Sea street,
Colombo Plaintiff.

No. 48,569. Vs.

- (1) J. W. C. de Soysa of the Walawwa, Moratuwa, and
(2) Moona Pana Lana Palaniappa Chetty of Sea street, Colombo Defendants.

NOTICE is hereby given that on Tuesday, May 7, 1918, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the life interest of the said 1st defendant in and to the following property for the recovery of the sum of Rs. 3,590.25, with interest thereon at 9 per cent. per annum from September 11, 1917, till payment in full, and costs, viz. :—

(a) All that house and ground situate and lying at King street, now Queen street, in Fort; and bounded on the north by the property of C. D. Forestsz (now belonging to I. L. M. H. A. Hamid), on the east by Hospital street, on the south by Government house (now belonging to Messrs. George Steuart & Co.), and on the west by the King street or the Government ground; containing in extent 23 63/100 perches.

(b) All that piece of Government ground now the property of T. Sammugam, in front of the house marked No. 12, situated at Queen street aforesaid; bounded on the north by Government ground (now belonging to I. L. M. H. A. Hamid), east by the house bearing assessment No. 15 formerly of Mr. Pietersz, south by Government ground now belonging to Messrs. George Steuart & Co., and west by the King street; and containing in extent 4 87/100 perches according to the figure of survey No. 411 dated August 28, 1907, made by H. G. Dias, Fiscal's Licensed Surveyor.

All those said two allotments of lands now forming one property and bearing assessment No. 15, situated at Queen street, Fort, within the Municipality of Colombo, Western Province, to wit :—

(a) All that house and ground situated and lying at King street now Queen street, in the Fort; bounded on the north by the property of C. B. Fretsz (now belonging to I. L. M. H. A. Hamid), on the east by Hospital street, on the south by the Government house (now belonging to Messrs. George Steuart & Co.), and on the west by King street, Government ground; containing in extent 28 50/100 perches.

Fiscal's Office,
Colombo, March 25, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Colombo.

A. L. M. S. S. Supramaniappillai of Sea street, in
Colombo Plaintiff.

No. 48,762. Vs.

- (1) Francis de Zoysa and (2) E. de Zoysa, both of 2nd Division, Maradana, in Colombo Defendants.

NOTICE is hereby given that on Monday, May 6, 1918, will be sold by public auction at the respective premises the right, title, and interest of the said defendants in the following property for the recovery of the sum of Rs. 4,849, with interest thereon at the rate of 18 per cent. per annum from October 5, 1917, till October 29, 1917, and thereafter

at legal rate on the aggregate amount till payment in full, and costs of suit :—

At 1 P.M.

(1) All that land called Elakapapuwatta, with the buildings, plantations, and trees standing thereon, situated at Horape, in the Ragam pattu of Alutkuru korale in the District of Colombo, Western Province; and bounded on the north by the lands of Jayamuni Jagarias Fernando and Robel Fernando, on the east by the lands of Jayamuni Catherena Fernando and another, on the south by the lands of Vilanage Pelis Appu, Gonaduwege Charles Appu, and others, on the south-west by the lands of Urappuge Siman Appu and Dompege Migel Appu, and on the west by the land of Jayamuni Jagarias Fernando; containing in extent 4 acres 2 roods and 34 square perches.

At 1.30 P.M.

(2) An undivided ¼ part or share from and out of all that land called Gorakagahawatta, and of the buildings, plantations, and trees standing thereon, situated at Horape aforesaid; and bounded on the north by the live fence of the land of Urupuge Simon Appu and others, on the east by the live fence of the land of Vitanage Coranis Appu, on the south by field, and on the west by the live fence of the land of Dompuge Migel Appu; containing in extent about 6 acres, B 73/371.

At 2 P.M.

(3) All that remaining portion of land called Eriyawetiya-polwatta *alias* Egodakotuwa, and the buildings, plantations, and trees standing thereon, after the acquisition by the Government out of an extent of 46 acres 2 roods and 31 perches, situated at Ragama, in the Ragam pattu of Alutkuru korale; and bounded on the north by Eriyawetiya-kumbura, on the east by high road, on the south and west by the portion of the same land sold to the Crown; containing in extent 15 acres, excluding therefrom (1) the ground appertaining to the rail road running through the land and (2) undivided extent of 3 acres gifted to Maria Martha Perera Ameresekare Siriwardena Hamine.

At 2.30 P.M.

(4) All that land called Rosalinwatta, with all the buildings, plantations, and trees standing thereon, situated at Ragama aforesaid; and bounded on the north by Hettiya-watta and the lands of H. Perniyanu Fernando Gurunanse and others, on the east by the cart road, on the south by the lands of Gabriel Anthony and others, on the west by Hettiya-watta; containing in extent 8½ acres excluding therefrom the cart road passing through the land.

At 3 P.M.

(5) All that field called Eriyawetiya-kumbura, situated at Ragama aforesaid; and bounded on the north and north-east by Walawwewatta, on the south and south-east by Eriyawetiya-polwatta, and on the west by Kudamabole-kumbura and Puwakgahakumbura; containing in extent 13 parras of paddy sowing.

At 3.30 P.M.

(6) All that field called Talgahakumbura, situated at Ragama aforesaid; and bounded on the north by Polpitiya-kumbura, on the east by water passage, on the south also by water passage, and on the west by the high lands of Eugene Gurunanse and James Silva; containing in extent 7 parras of paddy sowing.

Fiscal's Office,
Colombo, March 25, 1918.

W. DE LIVERA,
Deputy Fiscal.

In the District Court of Negombo.

Suna Pana Rawanna Mana Suppramanian Chetty. Plaintiff.
No. 11,137. Vs.

Maria de Zylva and son Shermon de Zylva, both of Mahahunupitiya, Negombo Defendants.

NOTICE is hereby given that on April 23, 1918, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

The lot D, in extent 8 acres 3 roods and 18 perches, and lot A, in extent 1 acre 3 roods and 8 perches, and the buildings

standing thereon, from and out of the several contiguous portions of high and low lands called *Kongahawatta alias Walisinghaniwasagekolamkumbura, Rodipittaniya*, excluding therefrom the lot B, in extent 1 rood and 1 perch, and lot C, in extent 32 perches, situate at Mahahunupitiya, in Dunagaha pattu of Alutkuru korale; and bounded on the north by field belonging to D. Bastian Costa and W. William Silva, east by field belonging to W. William Silva, south by lands belonging to Marthelis Silva, W. S. Juse Coonghe, W. S. Paulu Fernando and E. A. de Soysa, and high road, and on the west by lands belonging to W. S. Juse Coonghe, W. S. Paulu Fernando, E. A. de Soysa, and Hendrick Perera Jayawardane; containing in extent about 11 acres and 19 perches.

(2) The southern undivided $\frac{1}{2}$ share of the $\frac{1}{2}$ portion of land called *Kurukongahawatta*, situate at ditto; and bounded on the north by lands belonging to the heirs of Interpreter Mudaliyar and others, east by high road, south by land belonging to Charles Silva, and west by land belonging to Hendy Silva *alias* William Silva; containing in extent about 1 rood, and the cadjan thatched house standing thereon.

(3) The portion of the field called *Kolainkumburakebella*, situate at ditto; and bounded on the north by garden of Walentipurage Paulu Fernando and others, east by Lansiwela belonging to Nandiya and Marsal, south by garden of Dehiwalage Manuel Costa and others, and west by field belonging to Manange Isan Appu, Dinayadura Velun Silva, and others; containing in extent about 1 acre 1 rood and 14 perches.

(4) An undivided $\frac{1}{2}$ share of the field called *Kolainkumburakebella*, situate at ditto; and bounded on the north by garden belonging to Walentipurage Paulu Fernando, east by garden *Rodipittaniyawatta*, south by the portion of the field, and west by garden belonging to Mr. Sansoni, Proctor, and others; containing in extent about 10 parrahs paddy sowing ground.

Amount to be levied Rs. 3,669.80, with interest on Rs. 3,533.33 at 9 per cent. per annum from December 6, 1916, till payment, less Rs. 900.

Deputy Fiscal's Office,
Negombo, March 25, 1918.

FRED. G. HEPONSTALL,
Deputy Fiscal.

Central Province.

In the District Court of Nuwara Eliya.

V. Chelliah of Nuwara Eliya Plaintiff
No. 454. Vs.

C. F. Jayatileke, administrator of the estate of the late
Mr. E. B. Sielman, Nuwara Eliya Defendant.

NOTICE is hereby given that on Saturday, April 20, 1918, at 12 o'clock in the noon, will be sold by public auction at Monopole Cottage, Nuwara Eliya, the right, title, and interest of the said defendant in the following property, viz. :—

1 piano	26 large pictures in frames
1 Aelion grand organ player with records	2 basket wicker chairs
1 gramophone with records	2 mounted tiger skins
1 "Stella" musical box with records	1 jakwood mirrored almirah
2 upholstered English chairs	1 jakwood mirrored almirah
2 upholstered English velvet	2 toilet tables
3 upholstered English settees	2 washstand
2 piano stools	4 bentwood chairs
3 bentwood chairs	2 plate shelves
2 bentwood chairs with arms	1 glass almirah
3 nadun chairs	1 sideboard
1 clock stand	side board with mirrors
1 nadun settee	nadun hat stand
4 teapots	1 writing desk
1 English writing table	1 clock
	chest of drawers
	56 law books
	1 typewriter
	3 large carpets

Amount due in the said writ is Rs. 2,849.20, with legal interest thereon at 9 per cent. per annum from January 15, 1918, till payment in full. Valuation Rs. 4,516.

Fiscal's Office,
Nuwara Eliya, March 20, 1918.

M. M. WEDDERBURN,
Deputy Fiscal.

Southern Province.

In the District Court of Colombo.

G. Robert de Zoysa of Temple road, Colombo.... Plaintiff
No. 31,237. Vs.

G. A. Wickramaratne of Madampitiya road in
Colombo..... Defendant.

NOTICE is hereby given that on Saturday, April 27, 1918, commencing at 2 o'clock in the afternoon, will be sold by public auction at the spot the right, title, and interest of the said defendant in the following property, viz. :—

(1) The entirety of lot E of Galduwa estate, situate at Weragoda, in Wellaboda pattu, which lots contains in extent 14 acres 2 roods and 39 perches; and is bounded on the north by lot F of same land and Dummalaudumulla, east by land in T. P. 213,909, T. P. 215,001, and Ilukkisewelyaya, south by Ilukkisewelyaya, Naga-aratchigewatta, and Bugallewelyaya, and west by lots C and F of the same land.

(2) $\frac{1}{13}$ th part of all the fruit trees and soil of the land *Wawalannebeddawatta*, situate at the same village; bounded on the north by land whereon Hettiatchieyeyas resides and the garden of Endoris Alwis, east by Catanewelyaya, south by high land belonging to Terolis and others, low land belonging to the said individuals, and the cart road to Baddegama, and west by Uda Kerawawelyaya and the land belonging to Endoris Alwis; containing in extent about 56 acres.

(3) $\frac{1}{13}$ of $\frac{2}{3}$ part of *Dickgoipola*, situate at the same village; bounded on the north by Lewis Hamiyapadinchiwatta *alias* Kiriwallagahawatta, Delapalagewatta, and Ronnadoowewelyaya, east by Kosegoda and Kekillawela *alias* *Dickgoipola*, south by Pengiriwatta, and west by Amaruge Juwanisgegoipola; containing in extent 7 acres and 27 perches.

(4) $\frac{1}{13}$ th part of $\frac{1}{2}$ part of *Dickgoipola alias* *Ronnadoowekumbura*, situate at the same village; bounded on the north by Bandanagekumbura *alias* *Dickgoipola* and Lokurugewatta, east by Kurunduwatta, south by Talgahagoda Balappumedakaranagoipola, and west by Pengiriwatta and Bandanagegoipola; containing about 1 amunam of paddy sowing extent.

(5) $\frac{1}{13}$ th part of PUNCHIPATANA, situate at the same village; bounded on the north by Galdoowewatta and the land belonging to Pina Arachchila, east by land belonging to Weda Arachchi and now belonging to Pina Arachchi and Guru Apputa-aitigoipola, south and west by Galdoowewatta; containing in extent about 3 pelas of paddy.

(6) $\frac{1}{13}$ th part (exclusive of a portion of pela paddy sowing extent) of *Ilukkissa, Dummala, Udumulla, and Malapalawa*, all lying contiguous to each other, situate at the same village; bounded on the north by garden of Pattini Swaris and Pengiriwatta, east by Galduwewatta and bedda, south by *Weweldidanegegoipola* and *Galduwewatta*, and west by *Galduwewatta*; containing about 4 amunams of paddy sowing extent.

(7) $\frac{1}{13}$ th part (exclusive of a portion towards the west 2 pelas and 4 kurunies paddy sowing extent) of *Kosgahakumbura*, situate at the same village; bounded on the north by *Akuretiyege Udumulla and watta*, east by *Mellakolagemalalalawa and Gamegoipola*, south by *Weragodapolwatta*, and west by the field of *Siman de Silva Madanayaka Appuhamy* and the field of *Wanniaachchi Bastian*; containing about 6 pelas of paddy sowing extent.

(8) $\frac{1}{13}$ th part of *Bugallewella and Akuretiyege Udumulla* adjoining thereto, situate at the same village; bounded on the north and west by *Galduwewatta*, east by *Kahawe Guruge Carolista-aiti Udumulla and bedda*, south by

Bugallewela; containing about 6 pelas of paddy sowing extent.

(9) 1/13th part (exclusive of the planter's share of the young plantation of Pelawatta and Urumullawatta) of all the remaining fruit trees and soil of the three lands Ambalamawatta, Urumullawatta, and Palawatta, all lying contiguous to each other, situate at Akurala, in Wellaboda pattu of the District of Galle, Southern Province; bounded on the north by Palahandiwatta, Inopadinchiwaunwatta, and Hitandura Luwispadinchiwatta, east by Udumullewatta and Wedagewatta, south by Gurunnehegewatta and Galketiyeawatta, and west by the seashore; and containing in extent about 1 acre.

(10) 1/13th part (exclusive of the planter's share of the young plantation) of all the remaining fruit trees and soil of the land Pansalewatta, situate at the same village; bounded on the north by Galketiyeawatta and Eramudugahawatta, east by Adiriangewatta, south by Arumaduragewatta and Mahagederawatta, and west by the seashore; containing in extent about $\frac{1}{2}$ an acre.

Writ amount Rs. 471.25, with interest thereon at 9 per cent. per annum from August 5, 1910, till payment in full, and costs of suit with poundage.

Fiscal's Office,
Galle, March 21, 1918.

J. A. LOURENSZ,
Deputy Fiscal.

In the District Court of Matara.

Don Charles de Silva of Denepitiya. Plaintiff.
No. 7,646. Vs.

Selema Lebbe Ahamadu Cassim of Wategedere-mulla Defendant.

NOTICE is hereby given that on Thursday, April 18, 1918, at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the defendant in the following property for the recovery of Rs. 2,591.65 $\frac{1}{2}$, with interest on Rs. 1,500 at 20 per cent. per annum from March 14, 1917, till payment, and legal interest on the aggregate amount from August 3, 1917, and Fiscal's charges, viz. :—

(1) An undivided $\frac{1}{2}$ share of the fruit trees and of soil of the land called Barandewatta at Wategederemulla; and bounded north by Mahagederewatta, east Bogahawatta, south Kapuwatta, and west Salagewatta, together with rents and profits thereof; valued at Rs. 25.

(2) An undivided $\frac{1}{2}$ share of all the remaining fruit trees and of the soil, save and except $\frac{1}{4}$ share of 8 coconut trees, of the 3rd plantation of the land Henegamagewatta *alias* Henagamagederewatta at ditto; and bounded north by Digapotawatta *alias* Paluhengamagewatta, east Henegamagewatta, south by Dewenigewatta, west by Digane-watta *alias* Pansalekoratuwa; with rents and profits thereof; valued at Rs. 80.

(3) An undivided $\frac{3}{4}$ share of all the remaining fruit trees and of the soil, save and except the planter's $\frac{1}{2}$ share of the fruit trees, of the land called Lindamullawatta at ditto; and bounded north by Tudugalegewatta *alias* Patihakkaragewatta, east Siyambalagahakoratuwa, south Mailagahaokanda, and west by Lindamullawatta; with rents and profits thereof; valued at Rs. 50.

(4) An undivided one-half share of all the remaining fruit trees and of the soil, save and except the planter's $\frac{1}{4}$ share of the fruit trees, of the land called Perismulliatottam, west Galabogahawatta; with rents and profits thereof; valued at Rs. 75.

(5) An undivided $\frac{1}{2}$ share of all the remaining fruit trees and of soil, save and except the planter's $\frac{1}{2}$ share of the fruit trees, of the land called Hirigalkoratuwa, in extent 1 acre at Denepitiya; and bounded on the north by Malwatta and Ambagahawatta, east Attikagahakoratuwa, south and west by Hirigalkoratuwa; with rents and profits thereof; valued at Rs. 75.

(6) An undivided $\frac{1}{2}$ share of all the remaining fruit trees and of the soil, save and except the planter's $\frac{1}{4}$ share of the fruit trees, of the 2nd plantation of the land Punchi Hembantottamwatta at Wategederamulla; and bounded north by Galbokkeralegewatta and fence of Kapuwatta, on the east Hembantottamwatta, south river, and west Gorakagahawatta; with rents and profits thereof; valued at Rs. 25.

(7) An undivided $\frac{1}{2}$ share of all the fruit trees and of the soil of the land Ambagahawatta at ditto; and bounded on the north by Bogodawatta, east Ambagahagodella, south Kotudorewatta *alias* Kotidorewatta, and west Ambagahawatta; with rents and profits thereof; valued at Rs. 120.

(8) An undivided one-half share of an undivided $\frac{1}{2}$ share of all the remaining fruit trees and of the soil (save and except the planter's $\frac{1}{2}$ share of the fruit trees of the second plantation, and the planter's $\frac{1}{4}$ share of the fruit trees of the 3rd plantation on the southern side), and the planter's $\frac{1}{4}$ share of the fruit trees of the said 3rd plantation of the land Padinchigallegewatta *alias* Gallegewatta and 13 cubits tiled house at Denepitiya; and bounded on the north by Kanuketiyeawatta, east Heengamagewatta, Mahagederawatta, and Barandewatta, south Berewayagewatta and Pallekangewatta, and west Wedewatta; valued at Rs. 1,020.

Deputy Fiscal's Office,
Matara, March 16, 1918.

J. R. TOUSSAINT,
Deputy Fiscal.

In the Additional Court of Requests of Matara.

Don Davit Dahanayaka Yapa of Akuressa Plaintiff.

No. 9,540.

Vs.

Vidanagamage Don Seadoris Wickramaratne of Ganhela and another Defendants.

NOTICE is hereby given that on Saturday, April 20, 1918, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendants in the following property, viz. :—

(1) An undivided $\frac{1}{2}$ part of the land called Irikondegodawatta, situated at Ganhela, together with the 11 cubits tiled house standing thereon; and bounded on the north by Kollanmalawatta, east by Irikondegodahena, south by Metiyalamulla and Udumulla, and on the west by Irikonda and Dangahadeniya; valued at Rs. 250.

(2) The land called Irikondegodahena, situated at Ganhela; and bounded on the north by Hapuwatichigodahena and Kollanmalawatta, east by Gurubewulahena and Hapuwatichigodahena, south by Udumulla and Gurubewulahena, and on the west by Irikondegodawatta; valued at Rs. 450.

(3) The land called Alapotumullewatta, together with the 13 cubits tiled house standing thereon, situated at Ganhela; and bounded on the north by Ihalagederawatta and Maragahahena, east by Alapotumullekumbura and Galketiyeadeniya, south by Helambagahadeniya, and on the west by Hapuwatichideniya; valued at Rs. 1,000.

Writ amount Rs. 285.15, with legal interest on Rs. 250 from June 15, 1917, till payment in full, and Fiscal's charges.

Deputy Fiscal's Office,
Matara, March 18, 1918.

J. R. TOUSSAINT,
Deputy Fiscal.

In the District Court of Galle.

K. S. P. S. Kadarsan Chetty Plaintiff.

No. 15,840.

Vs.

Omeru Lebbe Maricar Ismail Lebbe Markar of Dikwella, Matara Defendant.

NOTICE is hereby given that on Saturday, April 6, 1918, commencing at 2 o'clock in the afternoon, will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following mortgaged property for the recovery of Rs. 1,730.62, v.z. :—

At Modarawana.

1. An undivided $\frac{1}{2}$ of $\frac{1}{2}$ part of the soil and of the citronella thereon of the land Kendaketiyeahena, Godellehena, Idelhena, and Tunkuttuhena, all lying contiguous to each other; bounded on the north by Wewehena and high road, east by high road and Opisaragehena, south by Gansabhawana road, and west by Medahena, Pitamulla, and Tunkuttuhena; containing in extent 15 acres 1 rood and 26 perches.

2. An undivided $\frac{1}{2}$ part of the trees and soil and of the citronella thereon of the contiguous lands Medahena, Pitamulla, Tunkanattihena, Talakolagodella, Nugagahena, Mahamigahahena, Liyangaha, Tunkuttuhena, Palumadawatta, Mekiliyagahakoratuwa, Mahahena, and Rukattanagahahena; bounded on the north by Ranahinkelegoda, east by Kendaketiye Mahahena, Godellehena, south by Gansabhawa road, and west by Medagodellahena; containing in extent about 35 acres.

3. An undivided $\frac{1}{2}$ of $\frac{1}{2}$ part of the soil and trees (exclusive of the planter's half share) of the land Pahalagekoratuwa, together with half part of the iron boiler and all the implements thereto belonging and all the buildings standing thereon; bounded on the north by Putukaradeniya, east by Bulatgekoratuwa, south by Kongahahena, and west by Yalkanatta; containing in extent 2 kurunies of kurakkan sowing.

Deputy Fiscal's Office,
Tangalla, March 18, 1918.

J. E. SENANAYAKA,
Deputy Fiscal.

North-Western Province.

In the District Court of Colombo.

S. S. R. M. Muttiah Chetty of Sea street, in Colombo..... Plaintiff.

No. 44,442. Vs.

Seena Mohammadu Salihu of Giriulla, in the District of Kurunegala..... Defendant.

NOTICE is hereby given that on Saturday, April 27, 1918, commencing at 10 o'clock in the morning, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property declared bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated October 16, 1916, viz. :-

1. All that field called Godakumbura, situated at Aturuwella, in Dambadeni Udukaha korale west of the Dambadeni hatpattu; and bounded on the east by Kurukotuwekumbura, south by Polkotuwakumbura, and on the west and north by the field belonging to Lensuwa Heneya and the land; containing in extent of about 7 pelas of paddy sowing.

2. (a) All that allotment of land called Korawakpellewatta of about 1 acre in extent, with the plantations thereon, situated at Humbuluwa, in Dambadeni Udukaha korale east of the Dambadeni hatpattu aforesaid; and bounded on the east by a field, south by the garden of Kirihamy, west by the chena of Siridarahamy, and on the north by the kadju tree on the garden of Appuhamy Lekama and endaru fence (boundaries as ascertained at the survey being north by Lekamagewatta, now Kirihamy's, east by fields of Mudalihamy and others, south-east by Korawakpekumbura, and south-west and west by Kirihamygewatta).

(b) The field called Korawakpelakumbura of about 2 pelas of paddy sowing in extent, with the produce of the crop standing thereon, situated at Humbuluwela aforesaid; and bounded on the east by the garden of Gurunnase, south by the field of Appuhamy, west by Korawakpellewatta, and north by field of Bandirala.

3. (a) (1) An undivided $\frac{1}{4}$ part of the field called Wewaykumbura of the extent of 1 amunam of paddy sowing. (2) Mahaliadda of 1 amunam of paddy sowing. (3) Thiruvampolayakumbura of 1 amunam of paddy sowing. (4) Pinkumbura of 2 pelas of paddy sowing. (5) Paranawalluwatta 4 kurunies of kurakkan sowing. (6) Hitinawatta and Kosgollawatta of 6 lahas of kurakkan sowing. (7) Pansalwatta of 3 lahas of kurakkan sowing, which said lands and (8) Mahaliaddakumbura of 1 amunam of paddy sowing are all situated at Wattegedara, in the Katugampola hatpattu; and bounded on the north by Thamallakumbura, east by Wallauwatta, south by Mahaliadda, and on the west by Alutwallauwawatta.

(b) An undivided $\frac{1}{2}$ part of the field called Pahalakumbura, situated at Wattegedara aforesaid; and bounded on the north by Narangodapitiapellawa, east by the boundary dam of Medakumbura, south by the pillama ground belonging to Carolis Appuhamy, and on the west by the boundary dam of Pahalakumbura; containing in extent about 3 pelas of paddy sowing.

(c) An undivided $\frac{1}{2}$ part of the field called Kotakumbura, situated at Wattegedara aforesaid; and bounded on the north by the fence of this land, east by Wellanda, south by Dangahawalahena, and on the west by the boundary dam of the portion of Kotakumbura, belonging to Bandara Menika; containing in extent of about 2 pelas of paddy sowing.

4. An undivided $\frac{1}{2}$ part of the field called Gabaddaliadda, situated at Wattegedara aforesaid; and bounded on the north by the high road, east by the forest near the rock, south by Pinkotuwa, and on the west by Thalgaswatta belonging to Bandirala; containing in extent of about 3 pelas of paddy sowing.

The balance amount to be levied Rs. 6,999.54, with interest at the rate of 12 per cent. per annum from January 21, 1916, on Rs. 4,559.54, to June 16, 1916, and thereafter further interest on the aggregate amount at the rate of 9 per cent. per annum till payment in full, and costs of suit.

Fiscal's Office,
Kurunegala, March 21, 1918.

S. D. SAMARASINGHA,
Deputy Fiscal.

In the District Court of Puttalam.

(1) Christopher Arasaratnam of Puttalam, (2) Annie Cassienir, administrators of the estate of Juliana Mercy Marianopillai Plaintiffs.

No. 2,826. Vs.

Santiagopillai Solomons of Narakully Defendant.

NOTICE is hereby given that on Saturday, April 20, 1918, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the defendant in the following property, viz. :-

The land consisting tobacco gala, coconut garden, and paddy field known as Wattuwantottam, situate at Narakully in Akkarai pattu, Puttalam District, in extent about 20 acres; and bounded on the north by the garden belonging to the heirs of Manual Bastian Sanchristan, deceased, and others, east by lake shore, south by common fence of the garden belonging to Manualpillai Bastianpillai Udayar, and on the west by the common fence of the garden belonging to Santiagopillai Macilas and others and sandy land belonging to the Crown, excluding the Akkarai pattu road passing through it, of the land contained within these boundaries; an undivided half share, together with the young coconut plantation planted by the defendant on the portions called Sinnupokoilatottam and Periapoilagala, situate on the entire side of the said road, and the young coconut plantation planted by the defendant on the western side of the said road, and the tobacco gala to the south of this, with the young coconut plantation planted by the defendant to the south of the said tobacco gala.

Amount of writ Rs. 5,266.50, with interest thereon at 9 per cent. per annum from February 27, 1917, and poundage.

Deputy Fiscal's Office,
Puttalam, March 19, 1918.

S. M. P. VANDERKOEEN,
Deputy Fiscal.

In the District Court of Chilaw.

Lucas Fernando Ramanaden Pulle of Bambukuliya Plaintiff.

No. 5,511. Vs.

(1) Rasakuru Senapathige Ponnachchi of Ihala Oledaluwa and others Defendants.

NOTICE is hereby given that on Saturday, May 4, 1918, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest

of the said defendants in the following lands, which have been specially mortgaged, executable by the decree entered in the above case, viz. :—

(1) The northern $\frac{1}{2}$ share of the land called Iluppeditottam situate at Olidaluwa, in Munnessaram pattu of Pitigal korale north, in the District of Chilaw; the said $\frac{1}{2}$ share is bounded on the north by high road and Bangalatottam, east by Olidaluwa tank, south by land of Jongappu and others and the land called Iyanarkovilsannadi, and west by gala land of Appurala; containing in extent about 4 acres.

(2) The garden called Navaladitottam, with the thatched house standing thereon, situate at Olidaluwa aforesaid; and bounded on the north by pond and bund of Olidaluwa tank, east by field of the heirs of Thambi Appu and others, south by fence of the garden of the heirs of Appugamarala and the tree called thirikundamaran, and west by garden of the late Nekatrala; containing in extent about $1\frac{1}{2}$ acres.

(3) The garden called Kasumarattadegala, situate at Olidaluwa aforesaid; and bounded on the north by fence of the garden of Bastian Fernando, east by fence of Periyagala land of the heirs of Tambi Appu Lekama, south by

gala land of the heirs of Tambi Appu Lekama, and west by pond; containing in extent about $\frac{1}{4}$ an acre.

(4) The undivided portion in extent 10 parras of paddy soil from and out of the land called Olidaluwakulam; situate at Olidaluwa aforesaid; and bounded on the north by Gansabhawa road, east by garden of Kanavadi Pulle Nallaiya and others, south by bund of the tank, and west by field of Jongappu and others; containing in extent 100 parras of paddy sowing soil.

(5) The field called Periyavelivayal, situate at Olidaluwa aforesaid; and bounded on the north by bund of tank, east by liminary dam of the field of Annaiya and others, south by liminary dam of the field of the heirs of Appugamarala, and west by Navaladitottam of the defendants; containing in extent 10 parras of paddy sowing soil.

Amount Rs. 1,019.87, with interest on Rs. 600 at $1\frac{1}{2}$ per cent. per mensem from July 4 to October 20, 1916, and further interest on the aggregate sum at 9 per cent. per annum till payment in full, and poundage.

Valuation Rs. 1,450.

Deputy Fiscal's Office,
Chilaw, March 25, 1918.

CHARLES DE SILVA,
Deputy Fiscal.

NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of George Alexander Rettie, formerly of Colombo, in the Island of Ceylon, and late a Private in the 16th Lancers, deceased.

* THIS matter coming on for disposal before William Wadsworth, Esq., Additional District Judge of Colombo, on March 14, 1918, in the presence of Messrs. Julius & Creasy, Proctors, on the part of the petitioner Dorothy Margaret Carey, wife of Henry Plantaganet St. George Carey of Pingarawa, Namunukula; and the affidavit of the said petitioner dated March 2, 1918, certificate of death of the above-named deceased, minute of consent from the heirs, and Supreme Court order dated February 15, 1918, having been read: It is declared that the said petitioner is one of the heirs and next of kin of the above-named deceased, and that she is entitled to have letters of administration to the estate of the said deceased issued to her accordingly, unless any person or persons interested shall, on or before April 18, 1918, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1918.

WM. WADSWORTH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Intestate Estate of late Adambarage Joseph de Alwis of Mattacooly, in Colombo, deceased.

Kirindege Anny Catherine Dias of Mattacooly, in Colombo..... Petitioner.

And

(1) Adambarage Gilbert de Alwis and (2) Kirindege Edwin Dias, both of Mattacooly, in Colombo..... Respondents.

THIS matter coming on for disposal before William Wadsworth, Esq., Additional District Judge of Colombo, on March 14, 1918, in the presence of Messrs. M. R. & M. S. J. Akbar, Proctors, on the part of the petitioner above named;

and the affidavit of the said petitioner dated March 14, 1918, having been read:

It is ordered that the petitioner be and she is hereby declared entitled as the widow of the above-named deceased to have letters of administration to his estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before April 18, 1918, show sufficient cause to the satisfaction of this court to the contrary.

March 14, 1918.

WM. WADSWORTH,
Additional District Judge.

In the District Court of Galle.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Kariyawasan Gonapinuwalagamage Don Solomon de Silva Tilakasekara, deceased, of Urawatta.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge of Galle, on January 26, 1918, in the presence of Mr. H. de S. Kularatne, Proctor, on the part of the petitioner; and the affidavit dated January 24, 1918, having been read: It is ordered that the 9th respondent be appointed guardian *ad litem* over the 3rd, 4th, 5th, 6th, 7th, and 8th minor respondents, unless the respondents—(1) James Alexander Tilakasekara, (2) Wilfred Tilakasekara, (3) Monsieur Tilakasekara, (4) Edwin Tilakasekara, (5) Robert Tilakasekara, (6) Ensilin Tilakasekara, (7) Margaret Tilakasekara, (8) Harriet Tilakasekara, (9) Rajapakse Susew Nambi Simaris Gunasekara, all of Urawatta in Ambalangoda—or any others interested shall, on or before March 7, 1918, show sufficient cause to the satisfaction of this court to the contrary.

It is further order and declared that the said Rajapakse Susew Nambi Missynona, the widow of the deceased, and that she is as such entitled to have letters of administration to the estate of the deceased issued to her accordingly, unless the respondents above named or any others interested in the estate shall, on or before March 7, 1918, show sufficient cause to the satisfaction of this court to the contrary.

January 26, 1918.

L. W. C. SCHRADER,
District Judge.

Extended for April 18, 1918.

L. W. C. SCHRADER,
District Judge.

In the District Court of Galle.

Order Absolute declaring Will proved.

No. 4,865 T. In the Matter of the Estate of the late Ambalangodage Andris Appu de Silva, deceased, of Paraliya.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge of Galle, on February 22, 1918, in the presence of Mr. D. Amarasuriya, Proctor, on the part of the petitioner Kaluappuwa Hennedige Ensohamy; and the affidavit of the petitioner and witnesses to the last will dated February 18, 1918, having been read:

It is ordered that the will of Ambalangodage Andris Appu de Silva, deceased, dated August 26, 1917, and now deposited in this court be and the same is hereby declared proved.

It is further declared that the said Kaluappuwa Hennedige Ensohamy is the person named in the said will, and that she is entitled to have probate of the same issued to her accordingly.

L. W. C. SCHRADER,
District Judge.

February 22, 1918.

In the District Court of Galle.

Order Nisi.

Testamentary In the Matter of the Estate of the late Jurisdiction. Don Carolis Panditaratna, deceased, of No. 4,869. Ganegama.

THIS matter coming on for disposal before L. W. C. Schrader, Esq., District Judge of Galle, on March 5, 1918, in the presence of Mr. G. E. Abayasekara, Proctor, on the part of the petitioner Hendrick Wickramaratna Madanayaka, Muhandiram, by his lawful attorney Andrew Peter de Costa Dassanaika; the affidavit of the petitioner dated March 5, 1918, having been read:

It is ordered that the 8th respondent Vitanatchi Johana be appointed as guardian *ad litem* over (5th) Ellen Panditaratna, (6th) Edwin Panditaratna, (7th) Albert Panditaratna, minor respondents, unless the respondents—(1) Johanis Panditaratna, Apothecary, Galewella, (2) Hendrick Panditaratna, Nagahatenna estate, Elpitiya, (3) Edward Panditaratna, Assistant Postmaster, Pettah, Colombo, (4) Elizabeth Panditaratna of Ganegama South, (5) Ellen Panditaratna

of ditto, (6) Edwin Panditaratna of ditto, (7) Albert Panditaratna of ditto, (8) Vitanatchi Johana of ditto—or any others interested shall, on or before April 18, 1918, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered and declared that the said Andrew Peter de Costa Dassanaika, as lawful attorney of Hendrick Wickramaratna Madanayaka, Muhandiram, a creditor of the deceased, is entitled to have letters of administration to the estate of the deceased issued to him accordingly, unless the respondents above named or any others interested in the estate shall, on or before April 18, 1918, show sufficient cause to the satisfaction of this court to the contrary.

L. W. C. SCHRADER,
District Judge.

March 5, 1918.

In the District Court of Kegalla.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of Jurisdiction. Amarasin Araccillage Salmu Appuhamy No. 568. of Godapola, deceased.

(1) Amarasin Araccillage Thelenis Appuhamy of Godapola..... Petitioner.

Vs.

(1) Amarasin Araccillage Pedrick Appuhamy of Godapola, (2) ditto Martin Appuhamy of ditto, (3) ditto Nonahamy of ditto Respondents.

THIS matter coming on for disposal before H. E. Beven, Esq., District Judge, Kegalla, on March 6, 1918, in the presence of Mr. J. P. Samarasingha, Proctor, on the part of the petitioner; and affidavit and petition of the petitioner dated February 25 and March 3, 1918, having been read: It is ordered and declared that the petitioner, as the eldest son of the deceased, is entitled to have letters of administration to the estate of the said deceased, and that such letters will be issued to him accordingly, unless the respondents above named or any person or persons interested shall, on or before April 10, 1918, show sufficient cause to the satisfaction of this court to the contrary.

H. E. BEVEN,
District Judge

March 6, 1918.